

Message Text

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PAGE 01 STATE 190417

13/12

ORIGIN EB-11

INFO OCT-01 ISO-00 L-03 EUR-25 IO-14 ARA-16 PCH-71 CIAE-00

COME-00 DODE-00 DOTE-00 FMC-04 INR-11 NSAE-00 RSC-01

CG-00 COA-02 DLOS-07 SWF-02 AF-10 EA-11 NEA-14 /203 R

66623

DRAFTED BY:EB:TT:MA:JPSTEINMETZ/L;EB:FKWILLIS

APPROVED BY:EB:TT:MA:RKBANK

EB:TT:RJWALDMANN

EUR:EE:DMILLER

IO:CMD:BSTOKES

ARA:APU:ACFELDER

----- 121693

R 292133Z AUG 74

FM SECSTATE WASHDC

TO AMEMBASSY BUENOS AIRES

AMEMBASSY WARSAW

AMEMBASSY ATHENS BY POUCH

AMEMBASSY BERN BY POUCH

AMEMBASSY BONN BY POUCH

AMEMBASSY BRASILIA BY POUCH

AMEMBASSY BRUSSELS BY POUCH

AMEMBASSY CANBERRA BY POUCH

AMEMBASSY COPENHAGEN BY POUCH

AMEMBASSY THE HAGUE BY POUCH

AMEMBASSY HELSINKI BY POUCH

AMEMBASSY LONDON BY POUCH

AMEMBASSY MADRID BY POUCH

AMEMBASSY MONROVIA BY POUCH

AMEMBASSY MOSCOW BY POUCH

AMEMBASSY NEW DELHI BY POUCH

AMEMBASSY OSLO BY POUCH

AMEMBASSY OTTAWA BY POUCH

AMEMBASSY PANAMA BY POUCH

AMEMBASSY PARIS BY POUCH

AMEMBASSY ROME BY POUCH

AMEMBASSY STOCKHOLM BY POUCH

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PAGE 02 STATE 190417

AMEMBASSY TOKYO BY POUCH

AMEMBASSY VIENNA BY POUCH
AMEMBASSY WELLINGTON BY POUCH
AMCONSUL HAMBURG BY POUCH
AMCONGEN RIO DE JANEIRO BY POUCH
USMISSION USUN NEW YORK BY POUCH
USMISSION EC BRUSSELS BY POUCH
USMISSION GENEVA BY POUCH
USMISSION OECD PARIS BY POUCH
USLO PEKING BY POUCH

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C O R R E C T E D C O O P Y (LINE EIGHT IN PARA TWO OMITTED)

E.O. 11652: N/A

TAGS: EWWT, UNCTAD, UN, AR, PL, US

SUBJECT: SHIPPING; UN CODE OF CONDUCT FOR LINER CONFERENCES

REF: A) BUENOS AIRES 5733; B) WARSAW 4447; C) STATE 172016
D) STATE 174561; E) STATE A-5007

1. WE BELIEVE MOST EFFECTIVE REPRESENTATIONS ON CODE WITH GOA AND GOP AUTHORITIES WOULD TAKE FORM OF GENERAL REITERATION OF U.S. REASONS FOR OPPOSING IT, WITH PRESENTATION MADE IN MANNER TO COUNTER ANY MISTAKEN PRESUMPTION THEY MIGHT HAVE (WHICH WE UNDERSTAND EXISTS WITH A NUMBER OF COUNTRIES FAVORING THE CODE) THAT, IN SPITE OF THE U.S. NEGATIVE VOTE AT GENEVA, THE U.S. CAN BE EXPECTED IN TIME TO COME TO A POSITION OF ACCEPTING THE CODE AND PROCEED WITH RATIFICATION.

2. WE DO NOT BELIEVE AN APPROACH COUCHED IN TERMS OF A DIRECT ATTEMPT TO DISSUADE THE GOA AND GOP FROM ACTING ON THE CODE WOULD BE DESIRABLE NOR CONSISTENT WITH REF C, AND COULD BE COUNTERPRODUCTIVE. HOWEVER, WHILE SUPPORTING THE CODE, BOTH THE GOA AND GOP HAD PROBLEMS WITH A NUMBER OF ISSUES, EXPRESSED PRIVATELY BY THEIR DELEGATIONS TO U.S. DEL MEMBERS, AND, IN THE CASE OF THE GOA, IN ABSTENTIONS ON ALL VOTES ON KEY FREIGHT RATE PROVISIONS WHICH LIMITED OFFICIAL USE

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PAGE 03 STATE 190417

THEY REQUESTED TO HAVE PUT ON CONFERENCE RECORD. THIS, COUPLED WITH THEIR UNDERSTANDING THAT CODE WILL NOT OBTAIN UNIVERSAL ACCEPTANCE, MAY LEAD THEM AT LEAST TO GO SLOW POSITION IN EVALUATION OF DECISIONS TO SIGN AND RATIFY.

3. POSTS SHOULD INDICATE REPRESENTATIONS ARE BEING MADE AT THIS TIME TO CLARIFY U.S. VIEWS ON THE CODE, AS ADOPTED, SINCE THERE WAS INSUFFICIENT TIME TO DO SO AT THE END OF

THE CONFERENCE. IN ADDITION, ADDRESSEES SHOULD, USING INFORMATION IN REFS D AND E (SPECIFICALLY ANNEXES A AND E OF THE LATTER), CONVEY TO LOCAL AUTHORITIES THAT THE U.S. HAS EVALUATED THE CODE FURTHER AND CANNOT ACCEPT CODE RULES ON IMPORTANT SUBSTANTIVE MATTERS. WE ALSO REMAIN FULLY CONVINCED OF THE INADEQUACIES OF THE ADOPTED TEXT. WE, THEREFORE, HAVE NO INTENTION OF BECOMING A PARTY TO THE CODE. YOU SHOULD ALSO POINT OUT THAT CONSIDERING THE NUMBER OF RESERVATIONS BY INDIVIDUAL COUNTRIES ON SPECIFIC PROVISIONS OF THE CODE, THE U.S. STRONGLY BELIEVES ITS IMPLEMENTATION WOULD HAVE THE OPPOSITE EFFECT FROM ACHIEVING A UNIFORM, WORLD-WIDE SYSTEM -- IT WOULD LEAD TO DIFFERENT RULES IN DIFFERENT JURISDICTIONS AND IT IS UNCLEAR HOW CONFLICTS CAN BE RESOLVED. MOREOVER WE CONSIDER IT UNWORKABLE FROM THE STANDPOINT OF ACHIEVING THE OBJECTIVES AND BASIC PRINCIPLES SET FORTH IN THE PREAMBLE, E.G. FACILITATING THE ORDERLY EXPANSION OF WORLD SEABORNE TRADE, STIMULATING THE DEVELOPMENT OF REGULAR AND EFFICIENT LINER SERVICES, ETC. KISSINGER

NOTE BY OC/T: POUCHED ABOVE ADDRESSEES.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MARINE TRANSPORTATION, COMMITTEE MEETINGS, STEAMSHIP LINES, GOVERNMENT REACTIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 29 AUG 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE190417
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Document Unique ID: 00
Drafter: EB:TT:MA:JPSTEINMETZ/L:EB:FKWILLIS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740242-0729
From: STATE
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1974/newtext/t1974086/aaaaafdk.tel
Line Count: 136
Locator: TEXT ON-LINE, ON MICROFILM
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Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
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Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: A) BUENOS AIRES 5733; B) WARSAW 4447, ; C) STATE 172016
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 20 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <20 MAR 2002 by shawdg>; APPROVED <16 MAY 2002 by golinofr>
Review Markings:

Declassified/Released
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EO Systematic Review
30 JUN 2005

Review Media Identifier:
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Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
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TAGS: EWWT, OCON, AR, PL, US, UNCTAD, UN
To: BUENOS AIRES MULTIPLE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005